

Scoping Fact Sheet for the Proposed Amendment to the Water Quality Control Plan for the North Coast Region to Update Regional Groundwater and Surface Water Protection

North Coast Regional Water Quality Control Board (Regional Water Board) staff is beginning work on a proposed Basin Plan amendment to address several areas of the *Water Quality Control Plan for the North Coast Region* (Basin Plan) in order to more fully and efficiently protect groundwater and surface water quality in the North Coast Region. These proposed revisions to the Basin Plan will include changes to the Water Quality Objectives Section (3) and the Implementation Plans Section (4).

Statement of Intended Outcomes / Scope of Work

Staff is proposing the development of a multi-part Basin Plan amendment (proposed Amendment) that would revise the Basin Plan as described below.

Tentative Changes to Water Quality Objectives Chapter (3)

- Remove Table 3-2 (Inorganic Organic and Fluoride Concentrations Not to be Exceeded in Domestic or Municipal Supply), and develop a policy that will set out the process for interpreting surface and groundwater narrative water quality objectives. (See proposed changes to Implementation Chapter 4 for a description of the proposed new policy for the Application of Narrative Water Quality Objectives.) Removal of Table 3-2 will address the fact that the table is not current – there are a number of new chemical constituents of concern that are not addressed in the table and it includes reference to several outdated MCL concentrations. Table 3-2 is also limited in its usefulness because it only addresses the protection of municipal uses of water, and does not address other beneficial uses. Finally, having a policy in place for the translation of narrative water quality objectives into numeric objectives in board permits, orders and other regulatory directives, as opposed to static table with numeric limits that change as new scientific information is developed, will be more efficient because it will reduce the need for continual upgrades to the Basin Plan.
- Add a groundwater narrative Toxicity Objective that would provide that all waters shall be maintained free of toxic substances in concentrations that may produce detrimental physiological responses in human, plant, animal, or aquatic life associated with designated beneficial uses, such as has been adopted by other regional water boards, such as the Central Valley Regional Water Board. Such an objective is necessary to provide a more effective regulatory standard to address the cleanup of toxic substances in groundwater. It would recognize that naturally occurring background levels of some toxic substances may be found in groundwater, such as various inorganic constituents. Toxic substances present in groundwater at naturally occurring background levels would not be considered pollutants requiring cleanup.
- Update of the four existing Water Quality Objectives for Groundwaters. The general objectives for groundwater include: Taste and Odor, Bacteria, Radioactivity and Chemical Constituents. This will primarily consist of clarifying that objectives apply to all beneficial uses of groundwater, and are not just limited to municipal and domestic uses; and removing reference to limits listed in Table 3-2.

Tentative Changes to Implementation Chapter (4)

- Add a new “Action Plan to Control Wastewater and Process Waste/Wastewater from Land Disposal Activities”. The Action Plan would incorporate existing plans and policies governing protection of groundwater into one comprehensive document. The Action Plan would also provide implementation language intended to prevent impacts to the beneficial uses of groundwater from the discharge of waste by identifying BMPs and monitoring programs to ensure that

all land disposal projects are designed to protect applicable water quality standards, which consist of beneficial uses, water quality objectives, and anti-degradation policies. Of particular concern to groundwater quality are salts and nutrients, which are typical in various waste streams and can result in adverse impacts to the beneficial uses of groundwater. It is the intention of the Regional Water Board staff that establishing a comprehensive Action Plan for the land disposal activities would provide the means to address the State Water Board requirement set forth in the Recycled Water Policy for regional water boards to prepare salt and nutrient management plans for all groundwater basins. Staff is proposing that in addition to including the generic requirements specified in the Recycled Water Policy, the action plan will include criteria for waste management practices (including liner criteria for storage ponds, land application rates, etc) to properly control the disposal of treated wastewater, industrial process water, biosolids and other waste/wastewater disposed on land and establish monitoring requirements.

- Delete the outdated Action Plan for Accidental Spills and Contingencies. The reporting requirements of the Action Plan are inconsistent with the Regional Water Board's current standard language for WDRs and NPDES Permits.
- Add a new Policy for the Application of Narrative Water Quality Objectives that describes the process the Regional Water Board will use in establishing numeric values to implement narrative surface and groundwater water quality objectives. The process by which the Regional Water Board will translate narrative water quality objectives into numeric limits in order to establish appropriate limits of chemical concentration limits in board permits, orders and other regulatory directives to protect all beneficial uses of water is not currently set forth within the Basin Plan. Setting out such a policy to provide a clear explanation of the proposed process would provide transparency and consistency in the regulation of dischargers and responsible parties in the North Coast Region, clarify ambiguities, and potentially reduce conflicts over what numeric objectives should apply in board permits, orders, and regulatory directives. The new policy would be based upon the Central Valley Regional Water Board's "Policy for the Application of Water Quality Objectives" and would rely upon the most appropriate and current standards, such as the State Department of Health Services Maximum Contaminant Levels and Public Health Goals established by the Office of Environmental Health Hazard Assessment, for the protection of beneficial uses of surface and groundwater.

Tentative Project Timeline

2010

Spring Internal meetings to develop project options, create draft problem statement and fact sheet, brief Board on project status

Summer Hold public scoping meeting

Summer Begin work on draft CEQA, draft Staff Report and draft Amendment language

Fall..... Conduct Peer Review and Economic Analysis

Winter. Release draft CEQA-equivalent document and begin public comment period

2011

Spring Hold public workshop and respond to public comments on the CEQA-equivalent document

Summer ... Revise, as appropriate based on public comments received, the CEQA-equivalent document and hold a Regional Water Board hearing to certify the document and consider adoption of proposed Basin Plan Amendment